

1 **SECTION 1mt.** 11.38 (1) (a) 2. of the statutes is amended to read:

2 11.38 (1) (a) 2. Notwithstanding subd. 1., any such corporation or association
3 may establish and administer a separate segregated fund and solicit contributions
4 from individuals to the fund to be utilized by such corporation or association, for the
5 purpose of supporting or opposing any candidate for state or local office but the
6 corporation or association may not make any contribution to the fund. The fund shall
7 appoint a treasurer and shall register as a political committee under s. 11.05. A
8 parent corporation or association engaging solely in this activity is not subject to
9 registration under s. 11.05, but shall register and file special reports on forms
10 prescribed by the board disclosing its administrative and solicitation expenses on
11 behalf of such fund. A corporation not domiciled in this state need report only its
12 expenses for administration and solicitation of contributions in this state together
13 with a statement indicating where information concerning other administration and
14 solicitation expenses of its fund may be obtained. The reports shall be filed with the
15 filing officer for the fund specified in s. 11.02 in the manner provided under s. 11.21
16 (16), if applicable, or otherwise in the manner in which continuing reports are filed
17 under s. 11.20 (4) and (8).

18 **SECTION 1mv.** 11.38 (6) of the statutes is amended to read:

19 11.38 (6) Any individual or campaign treasurer who receives funds in violation
20 of this section shall promptly return such funds to the contributor ~~or~~, donate the
21 funds to the common school fund or a charitable organization or transfer the funds
22 to the board for deposit in the Wisconsin election campaign fund, at the treasurer's
23 option.

24 **SECTION 1mx.** 11.38 (8) (b) of the statutes is amended to read:

1 11.38 (8) (b) Except as authorized in s. 11.05 (12) (b) and (13), prior to making
2 any disbursement on behalf of a political group which is promoting or opposing a
3 particular vote at a referendum and prior to accepting any contribution or making
4 any disbursement to promote or oppose a particular vote at a referendum, a
5 corporation or association organized under ch. 185 shall register with the
6 appropriate filing officer specified in s. 11.02 and appoint a treasurer. The
7 registration form of the corporation or association under s. 11.05 shall designate an
8 account separate from all other corporation or association accounts as a campaign
9 depository account, through which all moneys received or expended for the adoption
10 or rejection of the referendum shall pass. The corporation or association shall file
11 periodic reports under s. 11.20 and under s. 11.21 (16), if applicable, providing the
12 information required under s. 11.06 (1).

13 **SECTION 1my.** 11.385 of the statutes is created to read:

14 **11.385 Certain contributions prohibited.** (1) In this section, “floorperiod”
15 means a floorperiod of the legislature, as scheduled by joint resolution, for a regular
16 legislative session.

17 (2) Except as provided in subs. (3) to (5), no member of the legislature or
18 personal campaign committee of a member may make or receive any contribution in
19 conjunction with a fund-raising social event held in Dane County during a
20 floorperiod or a special or extraordinary session if the event is held to benefit a
21 member or member’s personal campaign committee.

22 (3) Subsection (2) does not apply to a contribution made or received in
23 connection with a fund-raising social event that is held by a member of the
24 legislature or his or her personal campaign committee during the period between the
25 first day authorized for filing nomination papers for an office for which the member

1 is a candidate and the date of the election for that office, if the event is held within
2 the jurisdiction or district served by the office for which the member is a candidate.

3 (4) Subsection (2) does not apply to a contribution made or received in
4 connection with a fund-raising social event that is held by a member of the
5 legislature or his or her personal campaign committee during the period between the
6 first day authorized for filing nomination papers for any office other than member
7 of the house of the legislature in which a member serves and the date of the election
8 for that office.

9 (5) Subsection (2) does not apply to a contribution made or received in
10 connection with a fund-raising social event held during a special or extraordinary
11 session by a member of the legislature or his or her personal campaign committee if
12 the member serves a district that is wholly or partly contained within Dane County,
13 the event is held within the boundaries of that district and invitations to the event
14 are sent before the special or extraordinary session is called.

15 **SECTION 1mz.** 11.50 (1) (a) 1. (intro.) of the statutes is created to read:

16 11.50 (1) (a) 1. (intro.) For purposes of qualification for a grant from the general
17 account:

18 **SECTION 1nb.** 11.50 (1) (a) 1. of the statutes is renumbered 11.50 (1) (a) 1. a.

19 **SECTION 1nd.** 11.50 (1) (a) 2. of the statutes is renumbered 11.50 (1) (a) 1. b.
20 and amended to read:

21 11.50 (1) (a) 1. b. With respect to a special election, an individual who is certified
22 under s. 8.50 (1) (d) as a candidate in a special election for state superintendent, or
23 an individual who is certified under s. 8.50 (1) (d) as a candidate in a special election
24 for any state office, except district attorney, on the ballot or column of a party whose
25 candidate for the same office at the preceding general election received at least 6%

1 of the vote cast for all candidates on all ballots for the office, or an individual who has
2 been lawfully appointed and certified to replace either such individual on the ballot
3 at a special election, or an individual who receives at least 6% of the vote cast for all
4 candidates on all ballots for any state office, except district attorney, at a partisan
5 special election; and who qualifies for a grant under sub. (2). Where the boundaries
6 of a district in which an individual seeks office have been changed since the preceding
7 general election such that it is not possible to calculate the exact number of votes that
8 are needed by that individual to qualify as an eligible candidate prior to an election
9 ~~under this subdivision~~, the number of votes cast for all candidates for the office at the
10 preceding general election in each ward, combination of wards or municipality which
11 is wholly contained within the boundaries of the newly formed district shall be
12 calculated. If the candidate of the political party on whose ballot or column the
13 individual appears in the newly formed district obtained at least 6% of the number
14 of votes calculated, the individual is deemed to qualify as an eligible candidate prior
15 to the election ~~under this subdivision~~.

16 **SECTION 1nf.** 11.50 (1) (a) 2m. of the statutes is created to read:

17 11.50 (1) (a) 2m. For purposes of qualification for a grant from a political party
18 account, an individual who is certified under s. 7.08 (2) (a) or 8.50 (1) (d) in the general
19 election or a special election as the candidate of an eligible political party for a state
20 office, other than district attorney, or an individual who has been lawfully appointed
21 and certified to replace such an individual on the ballot at the general or a special
22 election and who has qualified for a grant under sub. (2).

23 **SECTION 1nh.** 11.50 (1) (am) of the statutes is created to read:

24 11.50 (1) (am) "Eligible political party" means any of the following:

1 1. A party qualifying under s. 5.62 (1) (b) for a separate ballot or one or more
2 separate columns or rows on a ballot for the period beginning on the date of the
3 preceding general election and ending on the day before the general election that
4 follows that election.

5 2. A party qualifying under s. 5.62 (2) for a separate ballot or one or more
6 separate columns or rows on a ballot for the period beginning on the preceding June
7 1, or if that June 1 is in an odd-numbered year, the period beginning on June 1 of the
8 preceding even-numbered year, and ending on May 31 of the 2nd year following that
9 June 1.

10 **SECTION 1nj.** 11.50 (1) (bm) and (cm) of the statutes are created to read:

11 11.50 (1) (bm) “General account” means the account in the fund created under
12 sub. (2w).

13 (cm) “Political party account” means an account in the fund created under sub.
14 (2s).

15 **SECTION 1nL.** 11.50 (2) (a) of the statutes is amended to read:

16 11.50 (2) (a) Any individual who desires to qualify as an eligible candidate may
17 file an application with the board requesting approval to participate in the fund. The
18 application shall be filed no later than the applicable deadline for filing nomination
19 papers under s. 8.10 (2) (a), 8.15 (1), 8.20 (8) (a) or 8.50 (3) (a), no later than 4:30 p.m.
20 on the 7th day after the primary or date on which the primary would be held if
21 required in the case of write-in candidates, or no later than 4:30 p.m. on the 7th day
22 after appointment in the case of candidates appointed to fill vacancies. The
23 ~~application shall contain a sworn statement that the candidate and his or her~~
24 ~~authorized agents have complied with the contribution limitations prescribed in s.~~
25 ~~11.26 and the disbursement limitations prescribed under s. 11.31 at all times to~~

1 ~~which such limitations have applied to his or her candidacy and will continue to~~
2 ~~comply with the limitations at all times to which the limitations apply to his or her~~
3 ~~candidacy for the office in contest, unless the board determines that the candidate~~
4 ~~is not eligible to receive a grant, the candidate withdraws his or her application~~
5 ~~under par. (h), or par. (i) applies~~ applicant shall provide, along with his or her
6 application, an affidavit under s. 11.31 (2m) (a). The application shall also contain
7 a sworn statement that, except as authorized in s. 11.26 (9m), if the candidate is able
8 to receive the full amount of the grant, except any grant provided under sub. (4) (bg)
9 or (br), to which the candidate is entitled under sub. (9), the candidate and his or her
10 agents will not accept any contribution made by a committee other than a political
11 party committee during the campaign, and that, except as provided in s. 11.29 (9m)
12 any contributions accepted by the candidate from such a committee will not exceed
13 that amount which, when added to the amount of the grant received by the candidate
14 under sub. (9), equals the percentage specified in s. 11.26 (9) (am) of the
15 disbursement level specified in s. 11.31 (1) (a) to (de), (e), or (f), as adjusted under s.
16 11.31 (9), for the office that the candidate seeks. In the statement, the candidate shall
17 also swear that if any unauthorized contribution has been accepted, that the
18 contribution has been or will be returned or donated as provided in par. (j), and the
19 candidate and his or her agents will not accept any unauthorized contribution during
20 the campaign.

21 **SECTION 1nm.** 11.50 (2) (b) 3. of the statutes is amended to read:

22 11.50 (2) (b) 3. The In the case of a candidate at the general election, the
23 candidate has an opponent who whose name is certified for placement on the election
24 ballot as a candidate for the same office and who received at least 6% of the vote cast
25 for all candidates on all ballots for that office at the September primary;

1 **SECTION 1nn.** 11.50 (2) (b) 4. of the statutes is amended to read:

2 11.50 (2) (b) 4. The financial reports filed by or on behalf of the candidate as
3 of the date of the spring or September primary, or the date that the special primary
4 is or would be held, if required, indicate that his or her ~~statement~~ affidavit filed with
5 ~~the application under par. (a)~~ s. 11.31 (2m) (a) is true; and

6 **SECTION 1nq.** 11.50 (2) (b) 5. of the statutes is amended to read:

7 11.50 (2) (b) 5. The financial reports filed by or on behalf of the candidate as
8 of the date of the spring or September primary, or the date that the special primary
9 is or would be held, if required, indicate that the candidate has received an amount
10 equal to at least the amount provided in this subdivision, from contributions of
11 money, other than loans, made by individuals who reside in this state and, in the case
12 of a candidate for legislative office, by individuals at least 45% of whom reside in a
13 county having territory within the district in which the candidate seeks office, which
14 contributions have been received during the period ending on the date of the spring
15 primary and July 1 preceding such date in the case of candidates at the spring
16 election, or the date of the September primary and January 1 preceding such date
17 in the case of candidates at the general election, or the date that a special primary
18 will or would be held, if required, and 90 days preceding such date or the date a
19 special election is ordered, whichever is earlier, in the case of ~~special election~~
20 candidates at a special election, which contributions are in the aggregate amount of
21 \$100 or less, and which contributions are fully identified and itemized as to the exact
22 source thereof. A contribution received from a conduit which is identified by the
23 conduit as originating from an individual shall be considered a contribution made by
24 the individual. Only the first \$100 of an aggregate contribution of more than \$100
25 may be counted toward the required percentage. For a candidate at the spring or

1 general election for an office identified in s. 11.26 (1) (a) or a candidate at a special
2 election, the required amount to qualify for a grant is 5% of the ~~candidate's~~ applicable
3 authorized disbursement limitation, as determined under s. 11.31 (1) and adjusted
4 as provided under s. 11.31 (9). For any other candidate at the general election, the
5 required amount to qualify for a grant is ~~10%~~ 6% of the ~~candidate's~~ applicable
6 authorized disbursement limitation, as determined under s. 11.31- (1) and adjusted
7 as provided under s. 11.31 (9); and

8 **SECTION 1ns.** 11.50 (2) (b) 6. of the statutes is created to read:

9 11.50 (2) (b) 6. The application is not required to be disapproved under par. (f).

10 **SECTION 1nu.** 11.50 (2) (c) of the statutes is amended to read:

11 11.50 (2) (c) ~~If a candidate has not filed financial reports as of the date of the~~
12 ~~spring primary, September primary, special primary, or date that the special primary~~
13 ~~would be held, if required, which indicate that he or she has met the qualification~~
14 ~~under par. (b) 5., the candidate may file a special report with the board. Such report~~
15 ~~shall be filed not later than~~ Any individual who desires to qualify as an eligible
16 candidate shall file a special report with the board during the period beginning on
17 the day after the primary, or the 7th day after the date on which the primary would
18 be held, if required, and ending on the 7th day after the primary, or 7th day after the
19 date on which the primary would be held, if required, and. The special report shall
20 include such supplementary information as to sources of contributions which may
21 be necessary to complete the candidate's qualification all information that is
22 required to be reported under s. 11.06 (1). The special report shall cover the period
23 from the day after the last date covered on the candidate's most recent report, or from
24 the date on which the first contribution was received or the first disbursement was
25 made, whichever is earlier, if the candidate has not previously filed a report, to the

1 date of such report the primary, or the date on which the primary would be held, if
2 required. All information included on the special report shall also be included in the
3 candidate's next report under s. 11.20.

4 **SECTION 1nw.** 11.50 (2) (f) of the statutes is amended to read:

5 11.50 (2) (f) The board shall disapprove the application of any candidate who
6 has a balance in his or her campaign depository account, as reported under par. (c),
7 that is equal to or greater than 100% of the disbursement level specified under s.
8 11.31 (1), as adjusted under s. 11.31 (9), for the office that the candidate seeks, but
9 without respect to any adjustment under s. 11.31 (3r). The board shall inform each
10 candidate in writing of the approval or disapproval of the candidate's application, as
11 promptly as possible after the date of the spring primary, September primary, special
12 primary, or date that the primary would be held, if required. With respect to a
13 candidate at a special election who applies for a postelection grant under sub. (1) (a)
14 ~~2. 1. b.~~, the board shall inform the candidate in writing of the conditional approval
15 or disapproval of the candidate's application at the same time.

16 **SECTION 1nz.** 11.50 (2) (g) of the statutes is amended to read:

17 11.50 (2) (g) A candidate who voluntarily files an application to receive a grant
18 in accordance with this subsection accepts and agrees to comply with the
19 contribution limitations prescribed in s. 11.26 and the disbursement limitations
20 imposed under s. 11.31 (2), adjusted as provided under s. 11.31 (9), as binding upon
21 himself or herself and his or her agents during the campaign as defined in s. 11.31
22 (7), as a precondition to receipt of a grant under this section, unless the board
23 determines that the candidate is not eligible to receive a grant, the candidate
24 withdraws the application under par. (h), or par. (i) or s. 11.31 (3p) applies to the
25 candidate.

1 **SECTION 1pb.** 11.50 (2) (h) of the statutes is amended to read:

2 11.50 (2) (h) An eligible candidate who files an application under par. (a) may
3 file a written withdrawal of the application. A withdrawal of an application may be
4 filed with the board no later than the 7th 8th day ~~after~~ before the day of the primary
5 in which the person withdrawing the application is a candidate; or in the case of the
6 spring election no later than the 7th 8th day after before the date that the primary
7 would be held, if required; or in the case of a partisan special election for which no
8 primary is held for any party nomination, no later than the 35th day before the
9 election. If an application is withdrawn in accordance with this paragraph, the
10 person withdrawing the application is no longer bound by the statement affidavit
11 filed under ~~par. (a)~~ s. 11.31 (2m) (a) after the date of the withdrawal.

12 **SECTION 1pd.** 11.50 (2) (i) of the statutes is amended to read:

13 11.50 (2) (i) Notwithstanding par. (g), if an eligible candidate at the spring
14 election or a special nonpartisan election who accepts a grant is opposed by one or
15 more candidates in the election, or if an eligible candidate at the general election or
16 a special partisan election who accepts a grant is opposed by one or more candidates
17 in the election who receive at least 6% of the vote cast for all candidates for the same
18 office on all ballots at the September primary or a special partisan primary if a
19 primary was held, and in either case if any such opponent of the eligible candidate
20 does not accept a grant under this section in whole or in part, the eligible candidate
21 is not bound by the pledge made in his or her application to adhere to the contribution
22 limitations prescribed in s. 11.26 and the disbursement limitation prescribed under
23 s. 11.31 (2), unless each such opponent files an affidavit ~~of voluntary compliance~~
24 under s. 11.31 (2m) (b) and s. 11.31 (3p) does not apply to the candidate.

25 **SECTION 1pf.** 11.50 (2) (j) of the statutes is created to read:

1 11.50 (2) (j) If a candidate who applies for a grant has accepted, or the
2 candidate's personal campaign committee has accepted, any contributions from
3 committees other than political party committees during the campaign for the office
4 that the candidate seeks, except as authorized in the candidate's statement under
5 par. (a), the candidate, before accepting a grant whenever the full amount of the
6 grant authorized under sub. (9) is available to the candidate, shall return the
7 contributions or their monetary equivalent to the contributor, or, at the contributor's
8 option, donate an amount equal to the contribution to the fund or to the common
9 school fund or, if the full amount of the grant authorized under sub. (9) is not
10 available to the candidate, shall return or donate sufficient contributions, if any, so
11 that the contributions accepted do not exceed the amount authorized under sub. (2)
12 (a).

13 **SECTION 1ph.** 11.50 (2m) of the statutes is created to read:

14 **11.50 (2m) PUBLIC INFORMATION ACCOUNT.** (a) Annually no later than September
15 1, the board may notify the state treasurer that an amount not exceeding 1% of the
16 amount transferred to the fund in that year shall be placed in a public information
17 account. The amount shall be drawn from the general account and from each
18 political party account in proportion to each account's share of designations credited
19 under s. 71.10 (3) (b) in that year. Moneys in the public information account shall
20 be expended by the board for the purpose of providing public information concerning
21 the purpose and effect of this section and s. 71.10 (3).

22 (b) The board shall provide the department of revenue with an easily
23 understood description of the purpose and effect of this section and s. 71.10 (3) for
24 use as required under s. 71.10 (3) (b).

1 (c) Any amount placed in the public information account under par. (a) that is
2 not expended by the board in any year shall be retained in that account.

3 **SECTION 1pj.** 11.50 (2s) of the statutes is created to read:

4 **11.50 (2s) POLITICAL PARTY ACCOUNTS.** (a) The state chairperson of each eligible
5 political party may, by written request to the board, provide for the establishment
6 or discontinuance of an account within the fund for that political party. Each political
7 party account consists of all moneys designated by individuals for deposit in that
8 account under s. 71.10 (3) (am).

9 (b) Within each political party account, 45% of the moneys designated for
10 crediting to the account under s. 71.10 (3) (a) shall be retained by the board for use
11 in making grants to eligible candidates of that party under sub. (4), and 55% of the
12 moneys received shall be disbursed by the board to the eligible political party for use
13 by the party in making contributions to eligible candidates of that party authorized
14 under par. (f).

15 (c) Whenever an eligible candidate representing an eligible political party is
16 eligible to receive a grant from the general account under sub. (4), the state treasurer
17 shall first make payment of the grant from the political party account of that party,
18 to the extent that sufficient moneys are available in that account to make payment
19 of the grant. From the moneys available in a political party account, the state
20 treasurer shall make payments of grants to candidates in the following sequence:

- 21 1. First, payment to candidates for legislative office.
- 22 2. Second, payment to candidates for the office of governor.
- 23 3. Third, payment to candidates for other state offices.

24 (d) The board shall certify to the state treasurer that an eligible political party
25 qualifies to receive a grant for an election under this subsection whenever at least

1 one eligible candidate of that party qualifies to receive a grant under sub. (2) for that
2 election.

3 (e) Each eligible political party that receives a grant under this section shall
4 maintain all grant moneys received in a segregated account. All moneys in that
5 account and any earnings on those moneys may be used by that party only to make
6 contributions under par. (f) to candidates of that party who qualify for a grant under
7 sub. (2). Within that account, the party shall establish 3 subaccounts. The party
8 shall deposit 45% of the grant moneys received in each year in a subaccount to be
9 used to make contributions to candidates for the office of senator, 45% of the grant
10 moneys received in each year in a subaccount to be used to make contributions to
11 candidates for the office of representative to the assembly, and 10% of the grant
12 moneys received in each year in a subaccount to be used to make contributions to
13 candidates for other state offices. The political party shall maintain documentation
14 for a period and in a form that is satisfactory to the board for the purpose of verifying
15 that all moneys in the account are used for a purpose authorized under this section.
16 The political party shall promptly transfer to the board the full amount of any
17 unencumbered moneys in the account if the political party ceases to be an eligible
18 political party.

19 (f) 1. If a report filed under s. 11.12 (8) indicates that a candidate for a partisan
20 state office has made disbursements exceeding the amount specified under s. 11.31
21 (1) (a) to (d), (e), or (f) for the office that the candidate seeks, as adjusted under s. 11.31
22 (9), then an eligible political party may make contributions to each eligible opposing
23 candidate from the applicable account established under par. (e) in the amounts
24 determined by the party, but the total of such contributions to the candidate may not
25 exceed the total amount by which the combined total of such disbursements exceeds

1 the applicable amount specified under s. 11.31 (1) (a) to (d), (e), or (f), as adjusted
2 under s. 11.31 (9), minus any contributions accepted by the candidate under s. 11.26
3 (9m).

4 2. If a report filed under s. 11.12 (6) (am) or (c) indicates that disbursements
5 have been made or are proposed to be made against an eligible candidate for a
6 partisan state office or in support of such a candidate's opponent, or that obligations
7 have been incurred for such a purpose, and if the aggregate total of such
8 disbursements, proposed disbursements, and obligations, less any disbursements
9 made, or to be made, for the purpose of the payment of obligations that were
10 previously reported, exceeds 5% of the amount specified under s. 11.31 (1) (a) to (d),
11 (e), or (f) for the office that the candidate seeks, as adjusted under s. 11.31 (9), then
12 an eligible political party may make contributions to the candidate from the
13 applicable account established under par. (e) in the amounts determined by the
14 party, but the total of such contributions to the candidate may not exceed the total
15 amount of the disbursements and obligations reported under s. 11.12 (6) (am) during
16 the period beginning with the 60th day preceding the general, special, or spring
17 election at which the candidate seeks office and ending with the 31st day preceding
18 that election, together with the total amount of the proposed disbursements and
19 obligations reported under s. 11.12 (6) (c), minus any contributions accepted by the
20 candidate under s. 11.26 (9m) and the amount of any disbursements made, or to be
21 made, for the purpose of the payment of obligations that were previously reported.

22 (g) If a political party for which an account is established under this subsection
23 ceases to be an eligible political party, the board shall transfer the unencumbered
24 balance of that account to the general account.

25 **SECTION 1pL.** 11.50 (2w) of the statutes is created to read:

1 **11.50 (2w) GENERAL ACCOUNT.** There is established a general account within
2 the fund consisting of all moneys designated by individuals for deposit in that
3 account under s. 71.10 (3) (am), all moneys transferred to that account under sub.
4 (2s) (g), and all moneys exceeding the disbursement limitation under s. 11.31 (2), as
5 adjusted under s. 11.31 (9), and all moneys deposited in the fund under subs. (2s) (e),
6 (8), and (10m) and ss. 8.35 (4) (a), 11.07 (5), 11.12 (2), 11.16 (2), 11.19 (1), 11.23 (2),
7 11.26 (1t) and (2t), and 11.38 (6).

8 **SECTION 1pn.** 11.50 (3) of the statutes is repealed.

9 **SECTION 1pq.** 11.50 (4) of the statutes is repealed and recreated to read:

10 **11.50 (4) APPORTIONMENT OF MONEYS IN GENERAL ACCOUNT.** (a) After transfer of
11 the amount specified by the board under sub. (2m), the board shall apportion the
12 remaining moneys in the general account in the manner specified in this subsection.

13 (b) Prior to payment of any grants at an election for a partisan state office, the
14 board shall reserve an amount equal to the amount of the disbursement limitation
15 under s. 11.31 (2), as adjusted under s. 11.31 (9) but without respect to any
16 adjustment under s. 11.31 (3p), for the office sought by each eligible candidate other
17 than a candidate who qualifies to receive a grant under sub. (2).

18 (bg) If a report filed under s. 11.12 (8) indicates that a candidate for a partisan
19 state office has made disbursements exceeding the amount specified under s. 11.31
20 (1) (a) to (d), (e), or (f) for the office that the candidate seeks, as adjusted under s. 11.31
21 (9), then upon application to the board by any eligible opposing candidate, other than
22 a candidate who qualifies to receive a grant under sub. (2s) (c), the board shall make
23 a supplemental grant from the reserve under par. (b) to the eligible opposing
24 candidate in an amount equal to the lesser of the following:

1 1. The amount of the disbursement limitation specified under s. 11.31 (1) (a)
2 to (d), (e), or (f) for the office that the candidate seeks, as adjusted under s. 11.31 (9),
3 minus any contributions accepted by the candidate under s. 11.26 (9m) (a).

4 2. The total amount by which the combined total of all such disbursements that
5 exceeds the applicable amount specified under s. 11.31 (1) (a) to (d), (e), or (f), as
6 adjusted under s. 11.31 (9), minus any contributions accepted by the candidate under
7 s. 11.26 (9m) (a).

8 (br) If a report filed under s. 11.12 (6) (am) or (c) indicates that disbursements
9 have been made or are proposed to be made against an eligible candidate for a
10 partisan state office, other than a candidate who qualifies to receive a grant under
11 sub. (2s) (c), or in support of such a candidate's opponent, or that obligations have
12 been incurred for such a purpose, and if the aggregate total of such disbursements,
13 proposed disbursements, and obligations, less any disbursements made, or to be
14 made, for the purpose of the payment of obligations that were previously reported,
15 exceeds 5% of the amount specified under s. 11.31 (1) (a) to (d), (e), or (f) for the office
16 that the candidate seeks, as adjusted under s. 11.31 (9), then upon application to the
17 board by the candidate, the board shall make a supplemental grant from the reserve
18 under par. (b) to that candidate in an amount equal to the lesser of the following:

19 1. The amount of the disbursement limitation specified under s. 11.31 (1) (a)
20 to (d), (e), or (f) for the office that the candidate seeks, as adjusted under s. 11.31 (9),
21 minus any contributions accepted by the candidate under s. 11.26 (9m) (b).

22 2. The total amount by which the disbursements, proposed disbursements, and
23 obligations exceed the applicable amount specified under s. 11.31 (1) (a) to (d), (e),
24 or (f), as adjusted under s. 11.31 (9), minus any contributions accepted by the

1 candidate under s. 11.26 (9m) (b), and the amount of any disbursements made, or to
2 be made, for the purpose of the payment of obligations that were previously reported.

3 (c) The state treasurer shall make payment of grants to eligible candidates at
4 an election in the following sequence:

5 1. First, the state treasurer shall make payment of grants to candidates for the
6 office of justice in the amounts to which the candidates are entitled under sub. (9),
7 and shall prorate those payments if insufficient moneys are available to make full
8 payments to all candidates for the same office.

9 2. Second, the state treasurer shall make payment of grants to candidates for
10 partisan state offices other than candidates of eligible political parties.

11 3. Third, the state treasurer shall make payment of the amount required to
12 equalize payments of grants to all candidates for the same office who have received
13 grants from a political party account, and shall prorate the payments of candidates
14 who receive lower amounts from a political party account if insufficient moneys are
15 available to fully equalize the amounts of grants received by all candidates for the
16 same office.

17 4. Fourth, the state treasurer shall make payment of the remaining amount,
18 if any, required to enable all eligible candidates to receive the full amount of the grant
19 to which they are entitled under sub. (9), and shall prorate those payments if
20 insufficient moneys are available to make full payments to all candidates for the
21 same office.

22 5. Fifth, the state treasurer shall make payment of grants to candidates for the
23 office of state superintendent in the amounts to which the candidates are entitled
24 under sub. (9), and shall prorate those payments if insufficient moneys are available
25 to make full payments to all candidates for the same office.

1 **SECTION 1pr.** 11.50 (5) of the statutes is renumbered 11.50 (5) (a) and amended
2 to read:

3 11.50 (5) (a) The state treasurer shall make the disbursements of grants under
4 sub. (4) to the campaign depository account of each eligible candidate ~~under subs. (3)~~
5 ~~and (4)~~ and each eligible political party under sub. (2s) by the end of the 3rd business
6 day following notice from the board under s. 7.08 (2) (c) or (cm).

7 **(b)** Eligible candidates for governor and lieutenant governor of the same
8 political party may combine accounts if desired.

9 **SECTION 1ps.** 11.50 (6) of the statutes is amended to read:

10 11.50 (6) EXCESS MONEYS. If the amounts which are to be apportioned to each
11 eligible candidate ~~under subs. (3) and (4)~~ are more than the amount which a
12 candidate may accept under sub. (9), ~~or more than the amount which a candidate~~
13 ~~elects to accept under sub. (10)~~, the excess moneys shall be retained in the fund.

14 **SECTION 1pv.** 11.50 (7) (intro.) of the statutes is amended to read:

15 11.50 (7) UTILIZATION. (intro.) Grants distributed under this section and
16 contributions received from a political party under sub. (2s) (f) may be utilized only
17 for deposit in a campaign depository account under s. 11.10. Grants and
18 contributions received from a political party under sub. (2s) (f) may be expended only
19 for one or more of the following:

20 **SECTION 1px.** 11.50 (8) of the statutes is amended to read:

21 11.50 (8) LAPSING GRANTS. All grants disbursed to eligible candidates under sub.
22 (5) remain the property of the state until disbursed or encumbered for a lawful
23 purpose. All grant moneys received by an eligible candidate that are unspent and
24 unencumbered by a candidate on the day after the election in which the candidate
25 participates shall revert to the state. All deposits and refunds derived from grant

1 moneys ~~that are~~ received by ~~a~~ an eligible candidate ~~that are received~~ at any time
2 after the day of the election in which the candidate participates shall revert to the
3 state. All reversions shall be returned to the board by the candidate and shall be
4 deposited in the fund.

5 **SECTION 1pz.** 11.50 (9) of the statutes is renumbered 11.50 (9) (a) and amended
6 to read:

7 11.50 (9) (a) The Except as provided in sub. (4) (bg) and (br), the total grant
8 available to an eligible candidate for the office of governor may not exceed that
9 amount which, when added to all other contributions accepted from sources other
10 than individuals, and political party committees ~~and legislative campaign~~
11 ~~committees~~, is equal to ~~45%~~ 35% of the disbursement level specified for the ~~applicable~~
12 office that the candidate seeks, as determined under s. 11.31 (1) and adjusted as
13 provided under s. 11.31 (9).

14 (c) The board shall scrutinize accounts and reports and records kept under this
15 chapter to assure that applicable limitations under ss. 11.26 (9) and 11.31 are not
16 exceeded and any violation is reported.

17 (d) No candidate or campaign treasurer may accept grants exceeding the
18 amount authorized by this subsection.

19 **SECTION 1qb.** 11.50 (9) (b) of the statutes is created to read:

20 11.50 (9) (b) Except as provided in sub. (4) (bg) and (br), the total grant available
21 to an eligible candidate for any other state office may not exceed that amount which,
22 when added to all other contributions accepted from sources other than individuals
23 and political party committees, is equal to 40% of the disbursement level specified
24 for the office that the candidate seeks, as determined under s. 11.31 (1) and adjusted
25 under s. 11.31 (9).

1 **SECTION 1qd.** 11.50 (10) of the statutes is repealed.

2 **SECTION 1qf.** 11.50 (10m) of the statutes is amended to read:

3 **11.50 (10m) RETURN OF GRANTS.** An individual who receives a grant prior to an
4 election in which he or she is a candidate and who desires to return any portion of
5 the grant shall return that portion no later than the 2nd Tuesday in October
6 preceding a general election, the 4th Tuesday preceding a spring election or the 3rd
7 Tuesday preceding a special election. A candidate who returns all or any portion of
8 a grant under this subsection remains bound by the candidate's ~~statement~~ affidavit
9 filed under s. 11.31 (2m) (a) and the candidate's statement filed under sub. (2) (a).

10 **SECTION 1qh.** 11.50 (11) (e) of the statutes is amended to read:

11 **11.50 (11) (e)** No candidate may expend, authorize the expenditure of or incur
12 any obligation to expend any grant if he or she violates the pledge in the affidavit
13 required under sub. (2) (a) as a precondition to receipt of a grant, ~~except as authorized~~
14 ~~in sub. (2) (h) or (i).~~

15 **SECTION 1qj.** 11.50 (14) of the statutes is created to read:

16 **11.50 (14) CERTIFICATIONS TO SECRETARY OF REVENUE.** (a) No later than July 1
17 of each year, the board shall certify to the secretary of revenue:

18 1. The name of each political party that qualifies under sub. (1) (am) 2. as an
19 eligible political party as of the preceding June 1 and whose state chairperson has
20 filed a request to establish an account for the party under sub. (2s) (a).

21 2. The name of each political party that qualifies under sub. (1) (am) 1. as an
22 eligible political party as of the date of the preceding general election.

23 (b) In each certification under this subsection, the board shall specify the
24 expiration date of the certification.

25 **SECTION 1qL.** 11.60 (3r) of the statutes is created to read:

1 11.60 (3r) Notwithstanding sub. (1), any committee who violates s. 11.12 (6)
2 (am) or (c) may be required to forfeit not more than \$500 for each day of continued
3 violation. If an amount of a disbursement or obligation reported under s. 11.12 (6)
4 (am) or (c) varies from the actual amount of the disbursement or obligation by greater
5 than 5%, the committee filing the report shall also be required to forfeit the total
6 amount of the actual disbursement or obligation.

7 **SECTION 1qn.** 11.60 (4) of the statutes is amended to read:

8 11.60 (4) Actions under this section arising out of an election for state office or
9 a statewide referendum may be brought by the board or by the district attorney of
10 the county where the violation is alleged to have occurred, except as specified in s.
11 11.38. Actions under this section arising out of an election for local office or local
12 referendum may be brought by the district attorney of the county where the violation
13 is alleged to have occurred. Actions under this section arising out of an election for
14 county office or a county referendum may be brought by the county board of election
15 commissioners of the county wherein the violation is alleged to have occurred. In
16 addition, whenever a candidate or personal campaign committee or agent of a
17 candidate is alleged to have violated this chapter, action may be brought by the
18 district attorney of any county any part of which is contained within the jurisdiction
19 or district in which the candidate seeks election. If a violation concerns a district
20 attorney or circuit judge or candidate for such offices, the action shall be brought by
21 the attorney general. If a violation concerns the attorney general or a candidate for
22 such office, the governor may appoint special counsel under s. 14.11 (2) to bring suit
23 in behalf of the state. The counsel shall be independent of the attorney general and
24 need not be a state employee at the time of appointment.”

1 **4.** Page 3, line 17: after that line insert:

2 **“SECTION 2d.** 11.61 (1) (a) of the statutes, as affected by 2001 Wisconsin Act
3 (this act), is amended to read:

4 11.61 (1) (a) Whoever intentionally violates s. 11.05 (1), (2), or (2g) ~~or (2r)~~, 11.07
5 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6), or 11.24 (1) is guilty of a Class I felony.”.

6 **5.** Page 11, line 9: after that line insert:

7 **“SECTION 23m.** 19.42 (3m), (4g) and (4r) of the statutes are created to read:

8 19.42 (3m) “Candidate,” except as otherwise provided, has the meaning given
9 in s. 11.01 (1).

10 (4g) “Clearly identified,” when used in reference to a communication
11 containing a reference to a person, means one of the following:

12 (a) The person’s name appears.

13 (b) A photograph or drawing of the person appears.

14 (c) The identity of the person is apparent by unambiguous reference.

15 (4r) “Communication” has the meaning given in s. 11.01 (4m).”.

16 **6.** Page 11, line 18: after that line insert:

17 **“SECTION 25c.** 19.45 (13) of the statutes is created to read:

18 19.45 (13) No state public official holding an elective office may, directly or by
19 means of an agent, give, or offer or promise to give, or withhold, or offer or promise
20 to withhold, his or her vote or influence, or promise to take or refrain from taking
21 official action with respect to any proposed or pending matter in consideration of, or
22 upon condition that, any other person make or refrain from making a political
23 contribution, or provide or refrain from providing any service or other thing of value,
24 to or for the benefit of a candidate, a political party, any other person who is subject

1 to a registration requirement under s. 11.05, or any person making a communication
2 that contains a reference to a clearly identified state public official holding an
3 elective office or to a candidate for state public office.

4 **SECTION 25e.** 19.49 (1m) of the statutes is created to read:

5 19.49 (1m) No complaint alleging a violation of s. 19.45 (13) may be filed during
6 the period beginning 120 days before a general or spring election, or during the
7 period commencing on the date of the order of a special election under s. 8.50, and
8 ending on the date of that election, against a candidate who files a declaration of
9 candidacy to have his or her name appear on the ballot at that election.

10 **SECTION 25g.** 19.49 (5) of the statutes is renumbered 19.49 (5) (a) and amended
11 to read:

12 19.49 (5) (a) ~~No~~ Except as provided in par. (b), no action may be taken on any
13 complaint ~~which~~ that is filed later than 3 years after a violation of this subchapter
14 or subch. III of ch. 13 is alleged to have occurred.

15 **SECTION 25i.** 19.49 (5) (b) of the statutes is created to read:

16 19.49 (5) (b) The period of limitation under par. (a) is tolled for a complaint
17 alleging a violation of s. 19.45 (13) or 19.59 (1) (br) for the period during which such
18 a complaint may not be filed under s. 19.49 (1m) or 19.59 (8) (cm).

19 **SECTION 25k.** 19.53 (6) of the statutes is amended to read:

20 19.53 (6) An order requiring the accused to forfeit not more than \$500 for each
21 violation of s. 19.43, 19.44, or 19.56 (2) or not more than \$5,000 for each violation of
22 any other provision of this subchapter, or not more than the applicable amount
23 specified in s. 13.69 for each violation of subch. III of ch. 13; ~~and, if,~~ If the board
24 determines that the accused has realized economic gain as a result of the violation,
25 ~~an~~ the board may, in addition, order requiring the accused to forfeit the amount

1 gained as a result of the violation. In addition, if the board determines that a state
2 public official has violated s. 19.45 (13), the board may order the official to forfeit an
3 amount equal to the amount or value of any political contribution, service, or other
4 thing of value that was wrongfully obtained. If the board determines that a state
5 public official has violated s. 19.45 (13) and no political contribution, service or other
6 thing of value was obtained, the board may order the official to forfeit an amount
7 equal to the maximum contribution authorized under s. 11.26 (1) for the office held
8 or sought by the official, whichever amount is greater. The attorney general, when
9 so requested by the board, shall institute proceedings to recover any forfeiture
10 incurred under this section or s. 19.545 which is not paid by the person against whom
11 it is assessed.

12 **SECTION 25m.** 19.535 of the statutes is created to read:

13 **19.535 Direct enforcement.** If the board refuses or otherwise fails to
14 authorize an investigation under s. 19.49 (3) with respect to a violation of s. 19.45 (13)
15 within 30 days after receiving a verified complaint alleging a violation of s. 19.45 (13),
16 the person making the complaint may bring an action to recover the forfeiture under
17 s. 19.53 (6) on his or her relation in the name, and on behalf, of the state. In such
18 actions, the court may award actual and necessary costs of prosecution, including
19 reasonable attorney fees, to the relator if he or she prevails, but any forfeiture
20 recovered shall be paid to the state. If the court finds in any such action that the
21 cause of action was frivolous as provided in s. 814.025, the court shall award costs
22 and fees to the defendant under that section.

23 **SECTION 25p.** 19.59 (1) (br) of the statutes is created to read:

24 **19.59 (1) (br)** No local public official holding an elective office may, directly or
25 by means of an agent, give, or offer or promise to give, or withhold, or offer or promise

1 to withhold, his or her vote or influence, or promise to take or refrain from taking
2 official action with respect to any proposed or pending matter in consideration of, or
3 upon condition that, any other person make or refrain from making a political
4 contribution, or provide or refrain from providing any service or other thing of value,
5 to or for the benefit of a candidate, a political party, any other person who is subject
6 to a registration requirement under s. 11.05, or any person making a communication
7 that contains a reference to a clearly identified local public official holding an elective
8 office or to a candidate for local public office.

9 **SECTION 25r.** 19.59 (7) of the statutes is renumbered 19.59 (7) (a) and amended
10 to read:

11 19.59 (7) (a) Any person who violates sub. (1) may be required to forfeit not
12 more than \$1,000 for each violation, and, if the court determines that the accused has
13 violated sub. (1) (br), the court may, in addition, order the accused to forfeit an
14 amount equal to the amount or value of any political contribution, service, or other
15 thing of value that was wrongfully obtained.

16 **SECTION 25t.** 19.59 (7) (b) of the statutes is created to read:

17 19.59 (7) (b) Any person who violates sub. (1) may be required to forfeit not
18 more than \$1,000 for each violation, and, if the court determines that a local public
19 official has violated sub. (1) (br) and no political contribution, service or other thing
20 of value was obtained, the court may, in addition, order the accused to forfeit an
21 amount equal to the maximum contribution authorized under s. 11.26 (1) for the
22 office held or sought by the official, whichever amount is greater.

23 **SECTION 25v.** 19.59 (8) (c) of the statutes is amended to read:

24 19.59 (8) (c) If the district attorney fails to commence an action to enforce sub.
25 (1) (a), (b), or (c) to (g) within 20 days after receiving a verified complaint or if the

1 district attorney refuses to commence such an action, the person making the
2 complaint may petition the attorney general to act upon the complaint. The attorney
3 general may then bring an action under par. (a) or (b), or both.

4 **SECTION 25x.** 19.59 (8) (cm) and (cn) of the statutes are created to read:

5 19.59 (8) (cm) No complaint alleging a violation of sub. (1) (br) may be filed
6 during the period beginning 120 days before a general or spring election, or during
7 the period commencing on the date of the order of a special election under s. 8.50, and
8 ending on the date of that election, against a candidate who files a declaration of
9 candidacy to have his or her name appear on the ballot at that election.

10 (cn) If the district attorney refuses or otherwise fails to commence an action to
11 enforce sub. (1) (br) within 30 days after receiving a verified complaint alleging a
12 violation of sub. (1) (br), the person making the complaint may bring an action to
13 recover the forfeiture under sub. (7) on his or her relation in the name, and on behalf,
14 of the state. In such actions, the court may award actual and necessary costs of
15 prosecution, including reasonable attorney fees, to the relator if her or she prevails,
16 but any forfeiture recovered shall be paid to the state. If the court finds in any such
17 action that the cause of action was frivolous as provided in s. 814.025, the court shall
18 award costs and fees to the defendant under that section.”.

19 **7.** Page 19, line 20: after that line insert:

20 “**SECTION 52j.** 20.510 (1) (q) of the statutes is amended to read:

21 20.510 (1) (q) *Wisconsin election campaign fund.* As a continuing
22 appropriation, from the Wisconsin election campaign fund, the moneys determined
23 under s. 11.50 to provide for payments to eligible candidates whose names are

1 certified under s. 7.08 (2) (c) and (cm) and to provide for public information as
2 authorized under s. 11.50 (2m).”.

3 **8.** Page 28, line 8: after that line insert:

4 “**SECTION 79m.** 25.42 of the statutes is amended to read:

5 **25.42 Wisconsin election campaign fund.** All moneys appropriated under
6 s. 20.855 (4) (b) together with all moneys deposited under ss. 8.35 (4) (a), 11.07 (5),
7 11.12 (2), 11.16 (2), 11.19 (1), 11.23 (2), 11.26 (1t) and (2t), and 11.38 (6), all moneys
8 reverting to the state under s. 11.50 (8) and all gifts, bequests and devises received
9 under s. 11.50 (13) constitute the Wisconsin election campaign fund, to be expended
10 for the purposes of s. 11.50. All moneys in the fund not disbursed by the state
11 treasurer shall continue to accumulate indefinitely.”.

12 **9.** Page 66, line 15: after that line insert:

13 “**SECTION 170j.** 71.07 (6s) of the statutes is created to read:

14 **71.07 (6s) CAMPAIGN FUND TAX CREDIT.** (a) *Definitions.* In this subsection:

15 1. “Claimant” means an individual who makes a designation.

16 2. “Designation” means an amount that may be designated under s. 71.10 (3)
17 (am).

18 (b) *Filing claims.* Subject to the limitations and conditions provided in this
19 subsection, a claimant may claim as a credit against the tax imposed under s. 71.02,
20 up to the amount of those taxes, for the taxable year to which the income tax return
21 relates, an amount equal to the claimant’s designation.

22 (c) *Limitations and conditions.* 1. No credit may be allowed under this
23 subsection unless it is claimed within the time period under s. 71.75 (2).

1 2. If both spouses of a married couple meet the definition of claimant under par.
2 (a) 1., each spouse may claim the credit under this subsection.

3 (d) *Administration.* Subsection (9e) (d), to the extent that it applies to the credit
4 under that subsection, applies to the credit under this subsection.

5 **SECTION 170L.** 71.08 (1) (intro.) of the statutes is amended to read:

6 71.08 (1) IMPOSITION. (intro.) If the tax imposed on a natural person, married
7 couple filing jointly, trust or estate under s. 71.02, not considering the credits under
8 ss. 71.07 (1), (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx), (2fd), (3m), (3s), (6),
9 (6s), and (9e), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1fd), (2m) and (3) and
10 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1fd), (2m) and (3) and subchs. VIII
11 and IX and payments to other states under s. 71.07 (7), is less than the tax under this
12 section, there is imposed on that natural person, married couple filing jointly, trust
13 or estate, instead of the tax under s. 71.02, an alternative minimum tax computed
14 as follows:

15 **SECTION 170n.** 71.10 (3) (a) of the statutes is renumbered 71.10 (3) (am) and
16 amended to read:

17 71.10 (3) (am) Every individual, who is a full-year resident of this state, filing
18 an income tax return who has would have a tax liability or is entitled to a tax refund
19 before making a designation under this paragraph may designate \$1 the lesser of \$20
20 or the individual's tax liability for transfer to the Wisconsin election campaign fund
21 for the use of eligible candidates under s. 11.50. If the individuals filing a joint return
22 would have a tax liability or are entitled to a tax refund before making a designation
23 under this paragraph, each individual may make a designation of \$1 the lesser of \$20
24 or one-half of the married couple's tax liability under this subsection. Each
25 individual making a designation shall indicate whether the amount designated by

1 that individual shall be placed in the general account for the use of all eligible
2 candidates for state office, or in the account of an eligible political party whose name
3 is certified to the secretary of revenue under s. 11.50 (14). If an individual does not
4 indicate that the amount of his or her designation shall be placed in the account of
5 a particular eligible political party, that amount shall be placed in the general
6 account.

7 **SECTION 170p.** 71.10 (3) (ac) of the statutes is created to read:

8 71.10 (3) (ac) In this subsection, “tax liability” means any amount of tax
9 determined by an individual or by an individual and his or her spouse after he or she
10 calculates the order of computation through s. 71.10 (4) (gu).

11 **SECTION 170r.** 71.10 (3) (b) of the statutes is amended to read:

12 71.10 (3) (b) The secretary of revenue shall ~~provide a place for those~~ ensure that
13 space for the designations under par. (am) is provided on the face of the individual
14 income tax return and in a manner that is convenient to the individual filing the
15 return. The secretary of revenue shall provide next to that the place on the return
16 where designation under par. (am) is made a statement that a designation will not
17 increase tax liability, that the amount of a designation may be claimed as a credit
18 under s. 71.07 (6s), and that by making a designation the individual is also claiming
19 the credit. The department of revenue shall ensure that an individual may make the
20 designation under par. (am) and claim the credit under s. 71.07 (6s) by marking only
21 one box, which shall be on the face of the individual income tax return. The secretary
22 of revenue shall also provide and highlight a place in the instructions that
23 accompany the return for information submitted to the secretary by the elections
24 board under s. 11.50 (2m) without cost to the board. Annually on August 15, the
25 secretary of revenue shall certify to the elections board, the department of

1 administration, and the state treasurer ~~under s. 11.50~~ the total amount of
2 designations made on returns processed by the department of revenue during the
3 preceding fiscal year and the amount of designations made during that fiscal year
4 for the general account and for the account of each eligible political party. If any
5 individual designates an amount greater than the amount authorized under par.
6 (am) or attempts to place any condition or restriction upon a designation not
7 authorized under par. (am), that individual is deemed not to have made a designation
8 on his or her tax return.

9 **SECTION 170s.** 71.10 (3) (d) of the statutes is created to read:

10 71.10 (3) (d) If an individual's income tax return is prepared by a paid tax
11 preparer and if the individual does not make a designation under par. (am), the tax
12 preparer shall obtain from the individual his or her signature, on a form prepared
13 by the department of revenue, acknowledging that he or she chooses not to make a
14 designation under par. (am). The form shall contain information regarding the
15 purposes of the designation. No penalty may be imposed on a paid tax preparer who
16 fails to obtain from any individual the form that is required under this paragraph.

17 **SECTION 170t.** 71.10 (4) (gw) of the statutes is created to read:

18 71.10 (4) (gw) 1. The addition of the campaign fund designation under sub. (3)
19 (am).

20 2. The subtraction of the campaign fund tax credit under s. 71.07 (6s).".

21 **10.** Page 224, line 10: after that line insert:

22 **"SECTION 519m.** 806.04 (11m) of the statutes is created to read:

23 806.04 (11m) CAMPAIGN FINANCE REGISTRATION. Any person who proposes to
24 publish, disseminate, or broadcast, or causes to be published, disseminated, or

1 broadcast, any communication may commence a proceeding under this section to
2 determine the application to that person of a registration requirement under s. 11.05
3 (1), (2), or (2g).”.

4 **11.** Page 355, line 14: after that line insert:

5 “(2v) WISCONSIN ELECTION CAMPAIGN FUND BALANCE TRANSFER. The balances in
6 all accounts within the Wisconsin election campaign fund on the effective date of this
7 subsection are credited to the general account of the Wisconsin election campaign
8 fund established under section 11.50 (2w) of the statutes, as created by this act.

9 (2w) RULES FOR PUBLIC ACCESS CHANNELS AND PUBLIC TELEVISION STATIONS.

10 (a) Using the procedure under section 227.24 of the statutes, the elections
11 board may promulgate the rules required under section 11.21 (17) of the statutes, as
12 created by this act, for the period before the effective date of the permanent rules, but
13 not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes.
14 Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the elections
15 board is not required to provide evidence that promulgating rules under this
16 paragraph as emergency rules is necessary for the preservation of the public peace,
17 health, safety, or welfare and is not required to provide a finding of emergency for any
18 rule promulgated under this paragraph.

19 (b) The elections board shall submit in proposed form the rules required under
20 section 11.21 (17) of the statutes, as created by this act, to the legislative council staff
21 under section 227.15 (1) of the statutes no later than the first day of the 10th month
22 beginning after the effective date of this paragraph.

23 (2x) STATEWIDE VOTER REGISTRATION LIST.

1 (a) Notwithstanding section 16.42 (1) of the statutes, the elections board shall
2 submit as a part of its budget request for the 2003–05 fiscal biennium under section
3 16.42 of the statutes a proposal to finance the creation of a statewide, centralized
4 voter registration list system, together with proposed legislation required to initially
5 implement the system for the 2004 September primary election. In developing the
6 system, the elections board shall consider at least each of the following issues:

- 7 1. How the list should be created and maintained.
- 8 2. The fiscal impact upon the state and local governments of maintaining the
9 list.
- 10 3. How accuracy of the list should be ensured.
- 11 4. Whether, to use the list, an electronic connection would need to be
12 established between each polling place in the state and the board and how such a
13 connection would be established and maintained.
- 14 5. How registrations on election day would be integrated into the list.
- 15 6. How procedures for corroboration of the identities of electors would be
16 affected by maintenance of the list.
- 17 7. How absentee balloting would be affected by the creation of the list.
- 18 8. The impact of maintenance of the list upon transient populations, such as
19 college students.
- 20 9. How the list could be accurately purged of the names of convicted felons who
21 are ineligible to vote while ensuring that no eligible electors are disenfranchised.
- 22 10. How the list should be purged of the names of ineligible or inactive electors
23 while ensuring that no eligible electors are disenfranchised.
- 24 11. Whether the list should be publicly maintained or a private entity should
25 be retained to maintain the list.

1 12. If a private entity were retained to maintain the list, the standards to which
2 the entity should be held to account.

3 13. Whether and how provisional voting of challenged electors could be
4 facilitated after the list is established.

5 (b) The elections board shall study and prepare specific recommendations for
6 implementing the proposal submitted under paragraph (c) for creation of a statewide
7 voter registration list system. In conducting its study, the board shall address each
8 of the issues specified in paragraph (a). The board shall submit the results of its study
9 and recommendations to the legislature in the manner provided in section 13.172 (2)
10 of the statutes no later than the first day of the 10th month beginning after the
11 effective date of this paragraph.

12 (2y) NONSEVERABILITY.

13 (a) Notwithstanding section 990.001 (11) of the statutes, if a court finds that
14 all or any portion of sections 11.01 (17g) and (17r) and 11.21 (17) of the statutes, as
15 created by this act, or SECTION 9115 (2w) of this act are unconstitutional, then
16 sections 11.01 (17g) and (17r) and 11.21 (17) of the statutes, as created by this act,
17 and SECTION 9115 (2w) of this act are void in their entirety.

18 (b) Notwithstanding section 990.001 (11) of the statutes, if a court finds that
19 any part of the repeal of sections 11.01 (12s), 11.05 (3) (o), 11.265, 11.50 (3), and 11.50
20 (10) of the statutes, the renumbering of sections 11.05 (2r) (title), 11.24 (2), and 11.50
21 (1) (a) 1. of the statutes, the renumbering and amendment of sections 11.05 (1), 11.05
22 (2), 11.05 (2r), 11.12 (6), 11.26 (9) (a), 11.31 (2m), 11.50 (1) (a) 2., 11.50 (5), 11.50 (9),
23 19.49 (5), 19.59 (7), and 71.10 (3) (a) of the statutes, the amendment of sections 5.02
24 (13), 5.05 (2), 7.08 (2) (c), 7.08 (2) (cm), 8.30 (2), 8.35 (4) (a) 1. a. and b., 8.35 (4) (c)
25 and (d), 11.05 (3) (c), 11.05 (5), 11.05 (9) (b), 11.05 (12) (b), 11.05 (13), 11.06 (1) (intro.),

1 11.06 (1) (e), 11.06 (2), 11.06 (3) (b) (intro.), 11.06 (4) (b), 11.06 (5), 11.06 (7m) (a), 11.06
2 (7m) (b), 11.06 (7m) (c), 11.07 (1), 11.07 (5), 11.09 (3), 11.10 (1), 11.12 (2), 11.12 (4),
3 11.12 (5), 11.14 (3), 11.16 (2), 11.16 (5), 11.19 (title), 11.19 (1), 11.20 (1), 11.20 (2), 11.20
4 (3) (a) and (b), 11.20 (7), 11.20 (8) (intro.), 11.20 (8) (a), 11.20 (9), 11.20 (10) (a), 11.20
5 (12), 11.21 (2), 11.21 (15), 11.21 (16), 11.22 (3), 11.23 (1), 11.23 (2), 11.26 (1) (intro.),
6 11.26 (2) (intro.), 11.26 (2) (a), 11.26 (3), 11.26 (4), 11.26 (5), 11.26 (6), 11.26 (8), 11.26
7 (9) (b), 11.26 (10), 11.26 (15), 11.26 (17) (a), 11.31 (1) (intro.), 11.31 (1) (a) to (d), 11.31
8 (1) (e) and (f), 11.31 (2), 11.31 (2m) (title), 11.31 (3), 11.38 (1) (a) 2., 11.38 (6), 11.38
9 (8) (b), 11.50 (2) (a), 11.50 (2) (b) 3. and 4., 11.50 (2) (b) 5., 11.50 (2) (c), 11.50 (2) (f),
10 11.50 (2) (g), 11.50 (2) (h), 11.50 (2) (i), 11.50 (6), 11.50 (7) (intro.), 11.50 (8), 11.50
11 (10m), 11.50 (11) (e), 11.60 (4), 11.61 (1) (a) (by SECTION 2d), 19.53 (6), 19.59 (8) (c),
12 20.510 (1) (q), 25.42, 71.08 (1) (intro.), and 71.10 (3) (b) of the statutes, the repeal and
13 recreation of sections 11.05 (9) (title) and 11.50 (4) of the statutes, the creation of
14 sections 11.001 (2m), 11.01 (4m), 11.01 (12w), (13) and (14), 11.01 (16) (a) 3., 11.05 (1)
15 (b), 11.05 (2) (b), 11.05 (3) (m), 11.05 (3) (r), 11.06 (1) (cm) and (dm), 11.06 (2m) (b) to
16 (d), 11.06 (11) (bm), 11.12 (6) (am), 11.12 (6) (c) and (d), 11.12 (8) and (9), 11.20 (2s),
17 11.20 (2t), 11.20 (8) (am), 11.24 (1w), 11.24 (4), 11.26 (1m), 11.26 (1t), 11.26 (2) (ae),
18 (am), (as) and (av), 11.26 (2m), 11.26 (2t), 11.26 (8n), 11.26 (8r), 11.26 (9) (a) 1. to 4.,
19 11.26 (9) (am), 11.26 (9m), 11.26 (10a), 11.31 (1) (de), 11.31 (2m) (a), 11.31 (3p), 11.31
20 (9), 11.385, 11.50 (1) (a) 1. (intro.), 11.50 (1) (a) 2m., 11.50 (1) (am), 11.50 (1) (bm) and
21 (cm), 11.50 (2) (b) 6., 11.50 (2) (j), 11.50 (2m), 11.50 (2s), 11.50 (2w), 11.50 (9) (b), 11.50
22 (14), 11.60 (3r), 19.42 (3m), (4g) and (4r), 19.45 (13), 19.49 (1m), 19.49 (5) (b), 19.535,
23 19.59 (1) (br), 19.59 (7) (b), 19.59 (8) (cm) and (cn), 71.07 (6s), 71.10 (3) (ac), 71.10 (3)
24 (d), 71.10 (4) (gw), and 806.04 (11m) of the statutes or SECTIONS 9115 (2v), (2x), and

the treatment of those provisions by this

1 (2y), 9132 (4v), 9215 (3v), 9244 (6v), 9315 (2v) and (2w), and 9344 (2v) of this act is
2 unconstitutional, ~~this entire~~ act is void.”

3 **12.** Page 359, line 1: after that line insert:

4 “(4v) DECLARATORY JUDGMENT. The legislature directs the attorney general to
5 promptly commence an action seeking a declaratory judgment that the treatment of
6 chapter 11 of the statutes by this act, including specifically the treatment of sections
7 11.01 (16) (a) 3., 11.06 (2), 11.12 (6) (am) and (c), 11.24 (1w), 11.26 (1) (intro.), (1m),
8 (2) (a), (ae), (am), (as), and (av), (2m), (8), (8n), (8r), (9) (a), and (9m), 11.31 (3p), 11.50
9 (2s) (f) and (4) (bg) and (br), and 11.60 (3r) of the statutes are constitutional. The
10 legislature directs the attorney general to petition for leave to commence the action
11 as an original action before the Wisconsin supreme court. If such a petition is denied,
12 the legislature directs the attorney general to commence the action in the circuit
13 court for Dane County. If the attorney general fails to commence an action under this
14 subsection by the 61st day following the effective date of this subsection, the joint
15 committee on legislative organization shall, within 30 days thereafter, retain counsel
16 for the purpose of commencing such an action.”

17 **13.** Page 388, line 10: after that line insert:

18 “(3v) POSITION INCREASE. In the schedule under section 20.005 (3) of the statutes
19 for the appropriation to the elections board under section 20.510 (1) (a) of the
20 statutes, as affected by the acts of 2001, the dollar amount is increased by \$85,100
21 for fiscal year 2002–03 to increase the authorized FTE positions for the elections
22 board by 1.0 GPR campaign finance investigator position and 1.0 GPR auditor
23 position and to fund supporting expenses for these positions.”

24 **14.** Page 413, line 8: after that line insert:

1 “(6v) APPROPRIATION INCREASE. In the schedule under section 20.005 (3) of the
2 statutes for the appropriation to the department of revenue under section 20.566 (1)
3 (a) of the statutes, as affected by the acts of 2001, the dollar amount is increased by
4 \$96,500 for fiscal year 2002–03 to increase funding for the cost of changing income
5 tax forms.”.

6 **15.** Page 435, line 9: after that line insert:

7 “(2v) NONRESIDENT REGISTRANT REPORTING. The treatment of sections 11.06 (1)
8 (intro.) and (3) (b) (intro.) and 11.12 (4) of the statutes first applies with respect to
9 reporting periods which begin on or after the effective date of this subsection.

10 (2w) COST-OF-LIVING ADJUSTMENTS. The treatment of sections 11.26 (10a) and
11 11.31 (9) of the statutes first applies to adjustments for the 2-year period beginning
12 on January 1, 2006.”.

13 **16.** Page 437, line 9: after that line insert:

14 “(2v) CAMPAIGN FUND TAX CREDIT. The treatment of sections 71.07 (6s), 71.08 (1)
15 (intro.), and 71.10 (3) (a), (ac), and (b) and (4) (gw) of the statutes first applies to
16 taxable years beginning on January 1, 2002.”.

17 **17.** Page 445, line 20: after that line insert:

18 “(1zx) CAMPAIGN FINANCE AND RELATED CHANGES. The repeal of sections 11.01
19 (12s), 11.05 (3) (o), 11.265, 11.50 (3), and 11.50 (10) of the statutes, the renumbering
20 of sections 11.05 (2r) (title), 11.24 (2), and 11.50 (1) (a) 1. of the statutes, the
21 renumbering and amendment of sections 11.05 (1), 11.05 (2), 11.05 (2r), 11.12 (6),
22 11.26 (9) (a), 11.31 (2m), 11.50 (1) (a) 2., 11.50 (5), 11.50 (9), 19.49 (5), and 19.59 (7)
23 of the statutes, the amendment of sections 5.02 (13), 5.05 (2), 7.08 (2) (c), 7.08 (2) (cm),
24 8.30 (2), 8.35 (4) (a) 1. a. and b., 8.35 (4) (c) and (d), 11.05 (3) (c), 11.05 (5), 11.05 (9)

1 (b), 11.05 (12) (b), 11.05 (13), 11.06 (1) (intro.), 11.06 (1) (e), 11.06 (2), 11.06 (3) (b)
2 (intro.), 11.06 (4) (b), 11.06 (5), 11.06 (7m) (a), 11.06 (7m) (b), 11.06 (7m) (c), 11.07 (1),
3 11.07 (5), 11.09 (3), 11.10 (1), 11.12 (2), 11.12 (4), 11.12 (5), 11.14 (3), 11.16 (2), 11.16
4 (5), 11.19 (title), 11.19 (1), 11.20 (1), 11.20 (2), 11.20 (3) (a) and (b), 11.20 (7), 11.20 (8)
5 (intro.), 11.20 (8) (a), 11.20 (9), 11.20 (10) (a), 11.20 (12), 11.21 (2), 11.21 (15), 11.21
6 (16), 11.22 (3), 11.23 (1), 11.23 (2), 11.26 (1) (intro.), 11.26 (2) (intro.), 11.26 (2) (a),
7 11.26 (3), 11.26 (4), 11.26 (5), 11.26 (6), 11.26 (8), 11.26 (9) (b), 11.26 (10), 11.26 (15),
8 11.26 (17) (a), 11.31 (1) (intro.), 11.31 (1) (a) to (d), 11.31 (1) (e) and (f), 11.31 (2), 11.31
9 (2m) (title), 11.31 (3), 11.38 (1) (a) 2., 11.38 (6), 11.38 (8) (b), 11.50 (2) (a), 11.50 (2) (b)
10 3. and 4., 11.50 (2) (b) 5., 11.50 (2) (c), 11.50 (2) (f), 11.50 (2) (g), 11.50 (2) (h), 11.50
11 (2) (i), 11.50 (6), 11.50 (7) (intro.), 11.50 (8), 11.50 (10m), 11.50 (11) (e), 11.60 (4), 11.61
12 (1) (a) (by SECTION 2d), 19.53 (6), 19.59 (8) (c), 20.510 (1) (q), and 25.42 of the statutes,
13 the repeal and recreation of sections 11.05 (9) (title) and 11.50 (4) of the statutes, the
14 creation of sections 11.001 (2m), 11.01 (4m), 11.01 (12w), (13) and (14), 11.01 (16) (a)
15 3., 11.01 (17g) and (17r), 11.05 (1) (b), 11.05 (2) (b), 11.05 (3) (m), 11.05 (3) (r), 11.06
16 (1) (cm) and (dm), 11.06 (2m) (b) to (d), 11.06 (11) (bm), 11.12 (6) (am), 11.12 (6) (c) and
17 (d), 11.12 (8) and (9), 11.20 (2s), 11.20 (2t), 11.20 (8) (am), 11.21 (17), 11.24 (1w), 11.24
18 (4), 11.26 (1m), 11.26 (1t), 11.26 (2) (ae), (am), (as) and (av), 11.26 (2m), 11.26 (2t),
19 11.26 (8n), 11.26 (8r), 11.26 (9) (a) 1. to 4., 11.26 (9) (am), 11.26 (9m), 11.26 (10a), 11.31
20 (1) (de), 11.31 (2m) (a), 11.31 (3p), 11.31 (9), 11.385, 11.50 (1) (a) 1. (intro.), 11.50 (1)
21 (a) 2m., 11.50 (1) (am), 11.50 (1) (bm) and (cm), 11.50 (2) (b) 6., 11.50 (2) (j), 11.50 (2m),
22 11.50 (2s), 11.50 (2w), 11.50 (9) (b), 11.50 (14), 11.60 (3r), 19.42 (3m), (4g) and (4r),
23 19.45 (13), 19.49 (1m), 19.49 (5) (b), 19.535, 19.59 (1) (br), 19.59 (7) (b), 19.59 (8) (cm)

1 and (cn), and 806.04 (11m) of the statutes and SECTIONS 9115 (2v) and (2w) and 9315
2 (2v) and (2w) of this act take effect on July 1, 2003.”.

3 (END)